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I hereby certify that this paper is being facsimile transmitted to the attention of Examiner Eileen B. O'Hara, Group Art Unit 1646, USPTO at Facsimile No. 703-308-4242 on 9 August 2002.


Signature**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Bandman et al.

Title: HUMAN GPCR PROTEINS

Serial No.: 09/895,686

Filing Date: 28 June 2001

Examiner: E. O'Hara

Group Art Unit: 1646

Commissioner for Patents
Washington, DC 20231**RESTRICTION REQUIREMENT RESPONSE AND AMENDMENT**

Sir:

This is a response to the Restriction Requirement mailed 11 July 2002; the response is timely filed.

The Examiner presented the following groups.

Group A	Claims 1-6	nucleic acids, method of producing protein
Group B	Claims 7-10	method of detecting expression using nucleic acid
Group C	Claim 11-12	method of screening using nucleic acid
Group D	Claims 13-14	protein
Group E	Claim 15-16	method of screening using protein
Group F	Claims 17-18	antibodies, methods for making antibodies
Group G	Claim 19-20	method of detecting expression using antibody

The Examiner then requested further restriction within the elected group.

- I Polynucleotide having the nucleic acid sequence of SEQ ID NO:7 encoding the protein having the amino acid sequence of SEQ ID NO:1.
- II Polynucleotide having the nucleic acid sequence of SEQ ID NO:8 encoding the protein having the amino acid sequence of SEQ ID NO:2.
- III Polynucleotide having the nucleic acid sequence of SEQ ID NO:9 encoding the protein having the amino acid sequence of SEQ ID NO:3.
- IV Polynucleotide having the nucleic acid sequence of SEQ ID NO:10 encoding the protein having the amino acid sequence of SEQ ID NO:4.
- V Polynucleotide having the nucleic acid sequence of SEQ ID NO:11 encoding the protein having the amino acid sequence of SEQ ID NO:5.
- VI Polynucleotide having the nucleic acid sequence of SEQ ID NO:12 encoding the protein having the amino acid sequence of SEQ ID NO:6.

Applicants elect the invention of Group A, claims 1-6, and Group I within Group A with traverse.

Applicants argue that Groups B and C, claims 7-12, are methods of use within the scope of the elected invention and could be examined at the same time. If the Examiner decides otherwise, Applicants will ask for rejoinder of Groups B and C, claims 7-12, at the time that the product claims are allowed under In re Ochiai, In re Brouwer, and 35 USC § 103 (b).



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GROUP 1600

Fax

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DATE: 9 August 2002

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FROM: Lynn E. Murry ~~XA~~
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Attached: RR and Amendment for USSN 09/895,686
(Docket No. PC-0044 CIP)

PAGES: 6 (including coversheet)

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Lynn E. Murry
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GROUP 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Bandman et al.**
Title: **HUMAN GPCR PROTEINS**

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Serial No.: 09/895,686
Examiner: E. O'Hara

Filing Date: 28 June 2001
Group Art Unit: 1646

Commissioner for Patents
Washington, DC 20231

AMENDMENT TRANSMITTAL FEE SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Amendment (4 pages).

The fee has been calculated as shown below.

Claims	Claims After Amendment	-	Claims Previously Paid For	=	Present Extra	Other Than Small Entity Rate	Fee	Additional Fee(s)
Total Claims	12	-	20	=	0	\$18	0	\$0
Indep. Claims	2	-	3	-	0	\$80	0	\$0
___ First Presentation of Multiple Dependent Claim						+\$270		\$0

TOTAL \$ 0☒ No additional fee is required.☐ Please charge Deposit Account No. 09-0108 the amount of \$ 0

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR
1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108.

Respectfully submitted,
INCYTE GENOMICS, INC.

Date: 9 August 2002

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